

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: John Cooper	DECLARATION OF KATHRYN M. PRATT IN SUPPORT OF RENEWED PETITION UNDER 37 CFR 1.137(b)
Application No.: 10690785	
Title: Apparatus and Methods for Removing Mercury from Fluid Streams	
Application Filing Date: 10/21/03	
Examiner: DUONG, THANH P	
Art Unit: 1764	
Confirmation No.: 5612	

Mail Stop PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

1. My name is Kathryn Pratt. I am over 18 years of age, and I have personal knowledge of the facts and events as stated below.
2. I am an attorney licensed to practice law in the state of Oregon. I am currently the custodian of all of attorney Glenn Brown's files. It is my understanding that Mr. Brown has had a serious health issue for approximately two years. On June 12, 2008, Mr. Brown was suspended from practice by the Oregon State Bar. The Oregon State Bar's website at www.osbar.org states that the suspension is disciplinary in nature.
3. Shortly after Mr. Brown's suspension, voluntarily authorized me, as an agent for the Oregon State Bar Professional Liability Fund, to take custody of all of his files and return those files to his clients. This effectively shut down Mr. Brown's practice permanently. I obtained approximately 700+ files from Mr. Brown in July 2008. I am in the process of cataloguing those files, identifying the current addresses of the inventors (or their new counsel, if any) and returning the original files to the inventors where practicable and feasible.

4. Mr. Brown no longer maintains any office presence in Oregon. The mail being sent to Mr. Brown's former physical office address in Bend, Oregon is being forwarded to me through a law firm called Hurley Re. The files were delivered by Mr. Brown to the firm of Hurley Re when I took possession of them. At that time, Mr. Brown unilaterally changed the address associated with his PTO system access number to Hurley Re. As a result of this address change, Hurley Re currently receives all mail addressed to Mr. Brown from the PTO.
5. Because the Professional Liability Fund has no way of changing the address back to Mr. Brown's former physical office (or to any other address) as Mr. Brown has exclusive control of his patent system access number, the mail from the PTO now being sent to Hurley Re is, in turn, forwarded by that firm to me as the custodian of Mr. Brown's files.
6. When I receive the mail which Hurley Re forwards to me from the patent office, I try to identify the inventor's current address in order to forward the mail to the inventor and advise the inventor to immediately change the power of attorney on the patent. If I cannot identify the inventor's current address, I send the claims examiner a letter advising the examiner that Mr. Brown is no longer practicing and that I was unable to forward their correspondence. However, I have not yet performed these actions with every one of the 700+ files Mr. Brown recently delivered to my custody and it may not be feasible to do so for all of the files, many of which are over 5 years old. However, it is an ongoing task and will be completed as soon as practicable.
7. Approximately four weeks ago, in the course of performing the tasks outlined above, I contacted the inventor's attorney, Jared Goff, to confirm that he was now counsel of record with regard to several files relating to this inventor which Mr. Brown produced to

me. Shortly thereafter, I arranged to have the complete original copy of the file Mr. Brown provided to me relating to this patent application sent to the inventor and his counsel. I have performed a diligent search of the remaining files and I have not located any other documents, notes, or communications between Mr. Brown and the inventor for this application.

8. I declare that the above statements made on personal knowledge are true, that all statements made on information and belief are believed to be true, and that the above statements are made with knowledge that making willful, false statements or the like is punishable by fine, imprisonment, or both under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

Date:

October 16, 2008


Kathryn Pratt